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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/006,818

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Kevin P. Baker

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35489 7590 05/26/2009

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EXAMINER

HAMUD, FOZIA M

ART UNIT

PAPER NUMBER

1647

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* KEVIN P. BAKER, DAVID BOTSTEIN, LUC DESNOYERS,  
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COLIN K. WATANABE, MICKEY P. WILLIAMS and WILLIAM I.  
WOOD

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Application No. 10/006,818  
Technology Center 1600

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Mailed: May 22, 2009

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Before QUITA S. GOULD *Supervisory Paralegal Specialist, Review Team*  
GOULD, *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on May 13, 2009. A review of the application

revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**REQUEST TO WITHDRAW APPEAL**

A review of the file finds that Appellant filed a Request to Withdraw Appeal on March 10, 2009.

In accordance with MPEP § 1215.01:

If a brief has been filed within the time permitted by 37 CFR 41.37 (or any extension thereof) and an answer mailed and appellant withdraws the appeal, the application is returned to the examiner.

Therefore the application is being returned to the Examiner for further action as may be appropriate.

**CONCLUSION**

Accordingly, it is **ORDERED** that the application is returned to the Examiner:

- 1) to address the Request to Withdraw the Appeal, and;
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

QG/kmm

Application No. 10/006,818

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